

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extended Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel" I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing. I also understand I have the right to contact an attorney prior to signing this waiver.

I hereby knowingly and voluntarily waive my right to consult an attorney before signing this waiver and I knowingly and voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall participate in the Location Monitoring Program for a period of 6 months. During this time, you will remain at your place of residence at all times and shall not leave except when such leave is approved in advance by the probation officer. As determined by the probation officer, you may be required to maintain a telephone at your place of residence without any service that would interfere with the operation of the location monitoring program for the above period. At the discretion of the probation officer, unless otherwise ordered by the Court, you may be required to wear a location monitoring device that may include Global Positioning System and/or Random Tracking. You must follow location monitoring procedures specified by the probation office.

The defendant shall not possess or use a computer, peripheral equipment, gaming equipment, cellular devices, or any other device with access to any "on line computer services, or subscribe to or use any Internet service, at any location (including employment) without the written approval of the probation office. If approval is given, the defendant shall consent to the probation office or probation service representative conducting unannounced examinations, including retrieval and copying of all data, of any computer(s) or computer related equipment to which the defendant has access or social media and electronic communication accounts to which the defendant has access, including web enabled cell phones and gaming systems to insure compliance with this condition and/or removal of such equipment for the purpose of conducting a more thorough inspection. The defendant shall provide user names and passwords to all social media and electronic communication accounts requested by the probation office.

The defendant shall consent to having installed on the computer(s), at the defendant's expense, any hardware or software systems to monitor or filter computer use. Prior to

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installation of any such systems, the defendant shall allow the probation office to examine the computer and/or electronic storage device(s). The defendant shall warn any other residents, employer, or family members that the computer(s) and any related equipment may be subject to searches pursuant to this condition.

The defendant shall advise the probation office of all computers, electronic equipment, and web enabled equipment, including cell phones, to which he possesses or has access within 24 hours of obtaining same.

The defendant shall not purchase or maintain a post office box or any other type of private mail box or any type of storage locker, unit or facility without the written approval of the probation office.

The defendant shall not view, possess, or compose any material, and/or participate in any activity that involves, describes, or promotes, the unauthorized access or destruction of computer systems, websites, or other digital devices.

Witness:

Michael J. Schmidt

Michael J. Schmidt
U.S. Probation Officer

Signed:

Justin Payne

Justin Payne
Probationer or Supervised Releasee

July 20, 2016

Date: